

IN THE UNITED STATES DISTRICT COURT
FOR THE Northern DISTRICT OF TEXAS
Sherman DIVISION

James R. Davis #1740513

Plaintiff's name and ID Number

Gib Lewis

777 Fm 3497 Woodville TX 75990

Place of Confinement

CASE NO.

4:12cv765

(Clerk will assign the number)

v. Texas Department of Criminal Justice

P.O. Box 99 Huntsville TX 77342-0099

Defendant's name and address

Corrections Corporation of America
759 Heintzelman Road
Mineral Wells TX 76067

Defendant's name and address

Defendant's name and address

(DO NOT USE "ET AL.")

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

DEC 10 2012

BY DAVID J. MALAND, CLERK
DEPUTY

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate District Court, the Division and an address list of the Divisional Clerks.

II. PLACE OF PRESENT CONFINEMENT: _____

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted both steps of the grievance procedure in this institution? YES NO

Attach proof of the Step 2 grievance with the response supplied by the prison system.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: James R. DAVIS #1740513

777 Fm 3497

Woodville TX 75990

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: (T.D.C.) Texas Department of Criminal Justice

P.O. Box 99 Huntsville TX 77343-0099

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Im challenging conditions without an injury, condition puts me at serious risk for injury and risk in the future.

Defendant #2: Corrections Corporation of America

759 Heintzelman Road Mineral Wells TX 76067

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Im challenging conditions that seriously affect my health and safety even I have provide objective evidence, I was injured by physically and psychologically any chances of parole.

Defendant #3: D. Goodwin assistant Warden, Corrections Corporation -

of America, 759 Heintzelman Road Mineral Wells TX 76067

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Putting me in conditions that jeopardize my safety and injured by physically and psychologically

Defendant #4: T. Hopkins Safe Prison officer, Corrections Corporation of America

759 Heintzelman Road Mineral Wells TX 76067

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Putting me in conditions that jeopardize my safety

Defendant #5: P. Hopkins Chief of Unit Management, Corrections Corporation

of America, 759 Heintzelman Road Mineral Wells TX 76067

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Putting me in conditions that jeopardize my safety and retaliation and injured me by physically and psychologically

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

I Was threaten and extortion at CCA Mineral Wells on date 3/4-3/5/12
 offenders A.K.A N.O and Celestine, Kevin girlfriend April Perm friend ^{Johnson} Ron Johnson,
 assistant Warden D. Galvin Safe prison officer T. Hopkins UCC K. Lindley charging
 officer Durst, K, UCC Ms. Hopkins, T.D.C. J and CCA. On 3/5/12 I was escorted to
 security office that I announce that two offenders threatening me and was being
 pressured for money. I gave objective evidence to CCA Security office with all
 defendants violate constitution by "deliberately indifferent my safety". I showed that I
 was substantial risk of serious harm and they ignored that risk, prison conditions
 created a dangerous situation for my safety and any chances for eligible for
 parole. CCA may have retaliated against me.

RELIEF: State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I pray that the courts grants me one million dollars lawsuit on the defendant

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases:

Michael Howard Ault

B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if known to you.

TDCJ #1231321 TDCJ #1740513

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES / NO

B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case Number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? YES / NO

C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES ☒ NC

D. If your answer is "yes", give the following information for every lawsuit in which warning was imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed warning (if federal, give the district and division): _____
2. Case Number: _____
3. Approximate date warnings were imposed: _____

Executed on: 12/5/12
DATE

James R. Davis
(Signature of plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire \$150 filing fee and costs assessed by the Court, which shall be deducted in accordance with the law from my inmate account by my custodian until the filing fee is paid.

Signed this 06 day of December, 2012.
(Day) (month) (year)

James R. Davis
(Signature of plaintiff)

WARNING: The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limited to monetary sanctions and/or the dismissal of this action with prejudice.